

This amendment is being filed in response to the Office Action mailed from the U.S. Patent and Trademark Office on January 28, 2003 in the above-identified application. Reconsideration and further examination are requested.

Please amend the above-identified Application as follows:

IN THE CLAIMS

Please amend Claims 1, 8, 10, 17 and 19. Amendments to the claims are indicated in the attached "Marked Up Version of Amendments."

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1. (Amended) A method for controlling a data stream comprising the steps of:
- at a node in a network, intercepting a request signal from a request signal source, the request signal intended for a host computer that would otherwise respond with control information for controlling a manner in which the request signal source transfers the data stream;
  - from the node intercepting the request signal:
    - generating a control signal in response to intercepting the request signal, the control signal including the control information for controlling the manner in which the request signal source transfers the data stream; and
    - providing the control signal to the request signal source to individually control the manner in which the request signal source transfers the data stream among multiple data streams transferred by the request signal source.
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8. (Amended) The method of claim 1 wherein data within the request signal indicates that the host computer is an intended recipient of the request signal.
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- Sub 13
10. (Amended) A data communications device comprising:
- multiple network ports;
  - memory that stores an application; and
  - a controller coupled to the multiple network ports and the memory, an agent process running on the controller when the controller operates in accordance with the application stored in the memory such that the agent:
    - receives a request signal from a request signal source, the request signal otherwise intended for a host computer that would respond with control information for controlling a manner in which the request signal source transfers a data stream;
    - generates a control signal in response to receiving the request signal, the control signal including the control information for controlling the manner in which the request signal source transfers the data stream; and
    - provides the control signal to the request signal source to individually control the manner in which the request signal source transfers the data stream among multiple data streams transferred by the request signal source.
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17. (Amended) The data communications device of claim 10 wherein data within the request signal indicates that the host computer is an intended recipient of the request signal.

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19. (Amended) A computer program product that includes a computer readable medium having instructions stored thereon for controlling a data stream, such that the instructions, when processed by a controller, cause the controller to perform the steps of:
- intercepting a request signal from a request signal source, the request signal intended for a host computer that would otherwise respond
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- 4 -

with control information for controlling a manner in which the request signal source transfers the data stream;

generating a control signal in response to intercepting the request signal, the control signal including the control information for controlling the manner in which the request signal source transfers the data stream; and

providing the control signal to the request signal source to individually control the manner in which the request signal source transfers the data stream among multiple data streams transferred by the request signal source.

Please add the following claims 21-26:

21. (New) In a network including a source that transmits a data stream to a recipient, an apparatus comprising:

a routing mechanism disposed at an intermediate node of the network between the source and the recipient to route the data stream, the routing mechanism sending a request signal for instructions how to maintain the data stream; and

a host agent disposed at a node of the network other than at the source or recipient, the host agent configured to receive the request signal and provide control instructions how to maintain the data stream.

22. (New) A method as in claim 1, wherein the step of intercepting a request signal includes:

receiving the request signal from the request signal source, the request signal being disposed at an intermediate node of the network, the request signal source routing the data stream from the host computer to a recipient computer.

- 5 -

23. (New) A method as in claim 1, wherein the step of intercepting a request signal includes:  
receiving the request signal at an intermediate node of the network other than a node of the request signal source.
24. (New) A data communications device as in claim 10, wherein the request signal source is disposed at an intermediate node of the network and the request signal source routes the data stream from the host computer to a recipient computer.
25. (New) A data communications device as in claim 10, wherein the controller running the agent process is disposed at an intermediate node of the network other than that of the request signal source.
26. (New) A data communications device as in claim 25, wherein the request signal travels along a path from the request signal source to the controller exclusive of a path associated with the data stream.
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